



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street

San Francisco, CA 94105-3901

MAY 20 2015

Wayne Mitchum, Sr.
Colusa Indian Community Council
3730 Highway 45
Colusa, California 95922

RE: New Indian Environmental General Assistance Program Grant
Application Due:

JUN 25 2015

Dear Chairman Mitchum:

I am pleased to inform you that your proposal submitted to this office under the U.S. Environmental Protection Agency's Indian Environmental General Assistance Program (GAP) has been tentatively approved for funding. At this time, I am setting aside \$76,000 of funding to support your GAP for one year. The total tentative award for your GAP is \$76,000.

In addition, please include in your application \$75,000 for second year funding. If additional GAP funds become available, your second year funding request may be awarded.

Also, in a separate budget and work plan, please include \$15,000 for ETEP development as supplemental funding for your program. If additional GAP funds become available and your requests are approved, some or all of your supplemental requests may be awarded.

A General Assistance Program grant may not exceed four years. Your current cooperative agreement will expire on **September 30, 2015**, which is the end of your grant's four year budget and project period. As a reminder, a final Federal Financial Report and final performance report must be submitted By December 30, 2015, which is 90 days after the grant ends.

Work plan submission, negotiation, and approval will be conducted electronically in GAP Online. The comments attached here for your reference are also available in GAP Online. If we receive your complete application and an **approvable** revised work plan by the due date we will make every effort to award the grant by September 30, 2015. This funding will support work plan activities from October 1, 2015 to September 30, 2016. Please do not incur any costs under this work plan until the official grant award document has been signed and dated by the EPA Award Official. Any costs incurred before the date of award will not be reimbursed.

This letter does not constitute a grant award. In order to receive funding, the Colusa Indian Community Council will need to complete an Application for Federal Assistance (SF-424). **The complete application, including an approvable work plan, must be submitted for EPA review by the due date indicated above.** Materials can be submitted earlier and will be processed on a first-come, first-served basis. Please note that in completing your application, you will need to enter the GAP Catalog of Federal Domestic Assistance Number (CFDA), required in box #11 on the SF-424A application form, 66.926.

New Process for Submitting Your GAP Grant Application

Effective February 17, 2015, EPA grant applicants **must** use Grants.gov to submit their applications. The Grants.gov registration process can take up to 30 days to complete. Therefore, it is highly recommended that EPA applicants complete their registration on Grants.gov now. Also, your organization's registration in SAM.gov must be active to utilize Grants.gov. If it appears that the grants.gov registration process may prevent you from submitting your application by the due date aforementioned, then please contact Support@grants.gov or call 1-800-518-4726 as support is available 24 hours a day and 7 days a week. You should also notify your Project Officer before the application due date to request an extension.

Please review both Attachment 2 (Grants.gov Instructions Guide) and Attachment 3 (Region 9 Guidance Information for Applicants) or go to <http://www.epa.gov/region9/funding/information.html> to find additional resources on Grants.gov, Federal Regulations, and new EPA requirements. We suggest you forward these materials to your Project Manager, Financial Officer and any other personnel in your organization requiring this information.

I look forward to working with you and your staff under the General Assistance Program. Questions regarding the completion of the application forms as well as the mandatory use of grants.gov should be referred to Darlene Fernandez, Grants Management Specialist, at (415) 972-3554. You can also contact your GAP Project Officer, Gilbert Pasqua at (415) 972-3788 if you have questions regarding this letter, the work plan or the General Assistance Program.

Sincerely,



Laura M. Ebbert
Manager
Tribal Section

Enclosures

1. Work Plan Comments
2. Grants.gov Instructions Guide
3. Region 9 Guidance Information for Applicants
4. ETEP Sample Work Plan

cc: Oscar Serrano, Environmental Director (with work plan comments)
Amber Mohammad, Executive Affairs Manager

GAP 2015-2016 Work Plan Comments Colusa Indian Community Council

Thank you for developing an outcome-oriented work plan. The following observations and requests were written with the intent of strengthening the Tribe's GAP work plan, identifying possible assistance, and ensuring the work plan meets GAP guidelines. These comments pertain to the 2015-2016 work plan that was submitted with your GAP proposal in GAP Online in December 2014. Please ensure that these comments are addressed in your final GAP work plan in GAP Online.

General Definitions and References

1. The following references are useful for understanding GAP in general, for getting an understanding for environmental outcomes, etc.
2013 Guidance on the Award and Management of General Assistance Program Agreements and Appendix I, Guidebook for Building Tribal Environmental Program Capacity
<http://www.epa.gov/region09/funding/pdfs/tribal-gap14/fy2014-r9-gap-guidance.pdf>
GAP Act (<http://www.epa.gov/Indian/pdfs/4368b.pdf>)
2015 GAP Grant Notification (<http://www.epa.gov/region09/funding/tribal-gap.html>)
EPA Strategic Plan (<http://www2.epa.gov/planandbudget/strategicplan>)
2. Environmental outcomes should be expressed in terms of improvements to public health, the environment, or human behavior. They can also reflect improved tribal capacity to protect public health or the environment. Intermediate outcomes could reflect: a) improved human health or environmental conditions, b) reduced risks to human health or the environment, c) increased tribal capabilities in legal, enforcement, technical, communication, or administrative areas. Long-term outcomes could include attainment of desired environmental conditions (e.g., water quality standards are met) or human health goals, attainment of a desired capacity to plan, develop, implement, manage and sustain tribal environmental programs.
3. Please ensure that each component in your work plan contains one or more capacity indicators that appropriately links to the commitments. Capacity indicators represent the destination of the Tribe's work and therefore the Tribe should express how it will accomplish the tasks necessary to achieve the indicators proposed in its commitments. Moreover, capacity indicators should ideally be placed in the "Measures" section for each component in the work plan. More information on the appropriate use of indicators is found on page 13 of the GAP Guidance. A suite of indicators that the Tribe may consider for inclusion in its work plan is contained in Appendix I of the GAP Guidebook.
4. Greening Grants Policy: EPA Region 9 has adopted a Greening Grants Policy which encourages grantees to carry out their EPA grant funded projects in a greener way. Your Project Officer will work with you to determine whether it is feasible to incorporate green practices into your work plan. The Greening Grants Policy includes an attachment which describes many useful green practices. The policy furthers the objectives of EPA's 2011-15 Strategic Plan. The link to Greening Grant Policy is on the Region 9 Website Homepage, <http://www.epa.gov/region9/funding/greening-grants.html>

5. Regarding Indirect Costs:

- If a Tribe has never received a negotiated Indirect Cost (IDC) rate, they may now elect to charge a de minimus rate of 10% of modified total direct costs (MTDC)* and it may be used indefinitely. If chosen, this methodology must be used consistently for all Federal awards until the Tribe chooses to negotiate for a rate.

Please refer to CFR 2, Part 200, Section 200.414 for more information regarding indirect cost rates. This is a change from FY 13 and FY 14 IDC negotiations. Please work with your project officer when budgeting for a 10% IDC.

*MTDC is the total budget minus equipment and contractual costs.

- 6. Language on GAP work plan commitment to develop EPA/Tribal Environmental Plan (ETEP).** The proposed FY2016 work plan includes a component to develop an ETEP. The Guidance on the Award and Management of General Assistance Agreements for Tribes and Intertribal Consortia was finalized in May 2013. This document also contains the Guidebook for Building Tribal Environmental Program Capacity (Appendix I). Attached is an example work plan component for the development of an ETEP. Please ensure that your ETEP component minimally includes the information contained in this sample work plan component. For additional assistance, please contact your Project Officer.

BUDGET COMMENTS

The GAP core budget for FY2016 is \$76,000 and FY2017 is \$75,000.

Also, in a separate budget and work plan, please include \$15,000 for ETEP development as supplemental funding for your program. If additional GAP funds become available and your requests are approved, some or all of your supplemental requests may be awarded.

WORK PLAN COMMENTS

FY2016

Component 1: Management of Environmental Office

The cost of this component seems high. Please provide additional information to support the anticipated component cost.

Commitment 1.1:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

The Joint Evaluation work could be its own commitment. Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment can be found at: <http://www.epa.gov/region9/funding/pdfs/tribal-gap/fy2015-r9-gap-notification-attach-d-workplan-quarterly-report.pdf>

Commitment 1.2:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Commitment 1.3:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Commitment 1.4:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Commitment 1.5:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Component 2: EPA/Tribal Environmental Plan

Enclosed is the ETEP work plan component template. If you have developed a recent environmental inventory, please inform your Project Officer and delete that commitment from the component. If you have questions about the other commitments, please contact your Project Officer.

The ETEP requirements are outlined in the National GAP Guidance on pages 13-19. Below is information about the Tribal Environmental Plan that will be part of the ETEP.

Tribal Environmental Plan

The GAP Guidance states the following about the content of the TEP:

Tribal governments should include environmental program priorities for their community in this section of the ETEP. For each priority, the following detail should be included: (1) short description of the priority; (2) the tribe's long-term environmental program development goals that help to address or support the priority; (3) intermediate program development milestones the tribal government would like to meet during the time period of the ETEP; (4) the tribe's plans to manage authorized environmental programs; and (5) any type of assistance (training, technical assistance, EPA direct implementation actions, financial, etc.) that may be needed. This information should be discussed between the tribe and EPA regional office staff to identify any connections between the tribe's priorities and the implementation of the federal environmental programs, and to identify potential EPA assistance that could be provided to help the tribe accomplish the proposed actions.

EPA recognizes that the Tribal Environmental Plan is a tribal document that represents the issues of importance to the Tribe; the TEP can cover a range of issues including environmental impacts that may occur off the reservation, but impact the tribe or Tribal interests.

The TEP will help guide EPA and Tribal work in the future. As the GAP Guidance states, future approvable GAP work plans will be based on the contents of the TEP. Please include an appendix section where the tribal priorities each have a program indicator from the GAP Guidance and Guidebook.

Commitment 2.1:

This commitment looks fine.

Throughout the work plan, commitment end dates are identified as 9/30/2016. Commitment End Dates should reflect the actual expected completion date of the Commitment, and should not all reflect the end of the grant year.

FY2017**Component 1: Management of Environmental Office**

The cost of this component seems high. Please provide additional information to support the anticipated component cost.

Commitment 1.1:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

The Joint Evaluation work could be its own commitment. Portions of a Joint Evaluation process are missing. Please see Attachment F from the notification to ensure that the work plan contains a process in which EPA and the Tribe together evaluate the successes of the Tribe under GAP. The attachment can be found at: <http://www.epa.gov/region9/funding/pdfs/tribal-gap/fy2015-r9-gap-notification-attach-d-workplan-quarterly-report.pdf>

Commitment 1.2:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Commitment 1.3:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Commitment 1.4:

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Commitment 1.5:

In the description section, remove annual conference location because it refers to the FY2016 conference location.

In the positions section in GAP online there is no one identified who will complete this commitment please add to GAP online.

Component 2: EPA/Tribal Environmental Plan

Enclosed is the ETEP work plan component template. If you have developed a recent environmental inventory, please inform your Project Officer and delete that commitment from the component. If you have questions about the other commitments, please contact your Project Officer.

The ETEP requirements are outlined in the National GAP Guidance on pages 13-19. Below is information about the Tribal Environmental Plan that will be part of the ETEP.

Tribal Environmental Plan

The GAP Guidance states the following about the content of the TEP:

Tribal governments should include environmental program priorities for their community in this section of the ETEP. For each priority, the following detail should be included: (1) short description of the priority; (2) the tribe's long-term environmental program development goals that help to address or support the priority; (3) intermediate program development milestones the tribal government would like to meet during the time period of the ETEP; (4) the tribe's plans to manage authorized environmental programs; and (5) any type of assistance (training, technical assistance, EPA direct implementation actions, financial, etc.) that may be needed. This information should be discussed between the tribe and EPA regional office staff to identify any connections between the tribe's priorities and the implementation of the federal environmental programs, and to identify potential EPA assistance that could be provided to help the tribe accomplish the proposed actions.

EPA recognizes that the Tribal Environmental Plan is a tribal document that represents the issues of importance to the Tribe; the TEP can cover a range of issues including environmental impacts that may occur off the reservation, but impact the tribe or Tribal interests.

The TEP will help guide EPA and Tribal work in the future. As the GAP Guidance states, future approvable GAP work plans will be based on the contents of the TEP. Please include an appendix section where the tribal priorities each have a program indicator from the GAP Guidance and Guidebook.

Commitment 2.1:

This commitment looks fine.

Throughout the work plan, Commitment End Dates are identified as 9/30/2017. Commitment End Dates should reflect the actual expected completion date of the Commitment, and should not all reflect the end of the grant year.

